

1 MILES D. SCULLY (SBN 135853)
2 (mscullly@gordonrees.com)
3 TIMOTHY K. BRANSON (SBN 187242)
4 (tbranson@gordonrees.com)
5 GORDON & REES LLP
6 101 W. Broadway, Suite 2000
7 San Diego, CA 92101
8 Telephone: (619) 696-6700
9 Facsimile: (619) 696-7124
10 Attorneys for Defendant
11 R.C. BIGELOW, INC.

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10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA
13
14 SAN FRANCISCO DIVISION

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16 ALEX KHASIN, on behalf of himself and all others) CASE NO. CV12-02204-JSW
17 similarly situated,)
18 Plaintiff,) **CLASS ACTION**
19 v.)
20 R.C. BIGELOW, INC.,) **STIPULATION RE: MOTION TO**
21) **DISMISS BRIEFING AND**
22) **HEARING SCHEDULE;**
23) **CONTINUANCE OF CASE**
24) **MANAGEMENT CONFERENCE**
25 Defendant.) [CIVIL L. R. 6-1, 16-2]
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19 Pursuant to Civil Local Rules 6-1 and 16-2, Plaintiff Alex Khasin, on behalf of himself
20 and all others similarly situated, and Defendant R. C. Bigelow, Inc. ("Bigelow") through their
21 undersigned counsel, hereby stipulate as follows:
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23 WHEREAS, this action was filed in this Court on May 2, 2012;

24 WHEREAS, Bigelow was served with the summons and plaintiff's complaint (the
25 "Complaint") on May 18, 2012;

26 WHEREAS, on July 31, 2012, Bigelow filed a Motion to Dismiss, Or In The Alternative,
27 Motion to Strike the Complaint;

28 WHEREAS, on August 21, 2012, Plaintiff filed his Amended Complaint for Damages,

1 Equitable and Injunctive Relief ("Amended Complaint");

2 WHEREAS, Bigelow anticipates the filing of a motion to dismiss, or in the alternative,
3 motion to strike the Amended Complaint, and the parties have stipulated and agreed to a briefing
4 and hearing schedule for said motion, and have further stipulated and agreed to continue the Case
5 Management Conference, currently scheduled for September 21, 2012, until after the hearing of
6 said motion.

7 IT IS HEREBY STIPULATED AND AGREED by the parties, thought their counsel, that
8 pursuant to Local Rule 6-1(a) and 16-2(e):

9 1. Bigelow's motion to dismiss, or in the alternative, motion to strike the Amended
10 Complaint shall be due on or before **September 18, 2012**;

11 2. Plaintiff's opposition papers shall be due on or before **October 12, 2012**;

12 3. Bigelow's reply papers shall be due on or before **October 26, 2012**;

13 4. Bigelow's motion to dismiss, or in the alternative, motion to strike the Amended
14 Complaint shall be heard on **November 9, 2012 at 9:00 a.m.**, and

15 5. The Case Management Conference, currently set for September 21, 2012, shall be
16 continued to **December¹⁴, 2012 at 1:30 p.m.**

17 Dated: August 30, 2012

MILES D. SCULLY
TIMOTHY K. BRANSON
GORDON & REES LLP

20 By: /s/ Timothy K. Branson
TIMOTHY K. BRANSON

21 Attorneys for Defendant
22 R.C. BIGELOW, INC.

23 Dated: August 30, 2012

BEN F. PIERCE GORE
PRATT & ASSOCIATES

26 By: /s/ Ben F. Pierce Gore
BEN F. PIERCE GORE

27 Attorney for Plaintiff

ECF ATTESTATION

I , Timothy K. Branson, am the ECF User whose ID and password are being used to file the following: **STIPULATION TO EXTEND DEFENDANT R. C. BIGELOW'S TIME TO RESPOND TO THE COMPLAINT.** In compliance with Civil Local Rule 5-1, I hereby attest that Ben F. Pierce Gore has concurred in this filing.

Dated: August 30, 2012

MILES D. SCULLY
TIMOTHY K. BRANSON
GORDON & REES LLP

By: /s/ Timothy K. Branson
TIMOTHY K. BRANSON

ORDER

PURSUANT TO STIPULATION, ~~IT IS SO ORDERED~~. AS MODIFIED, IT IS SO ORDERED.

Dated: September 4, 2012

Jeffrey S White
JUDGE OF THE UNITED STATES
DISTRICT COURT